

1
2
3
4
5
6
7
8 **UNITED STATES DISTRICT COURT**
9 **EASTERN DISTRICT OF CALIFORNIA**
10

11 UNITED STATES OF AMERICA,

12 Plaintiff,

13 v.

14 SEGUNDO R. CALDERON,

15 Defendant.
16
17

Case No. 5:24-po-00383-CDB

CVB Violation E2090669 / CA14

ORDER ON DEFENDANT'S
CORRESPONDENCE DIRECTING RESPONSE
BY DEFENDANT

(Doc. 5)

5-DAY DEADLINE

18 Defendant Segundo R. Calderon is charged by citation with violating section 23349(b),
19 California Vehicle Code - speeding in excess of 55mph. On January 7, 2025, Defendant appeared in
20 Court on the citation, pleaded not guilty, and requested the case be set for nonjury trial. (Doc. 3). The
21 Court informed Defendant the first-available trial date was March 7, 2025. Defendant requested a
22 later trial date because he sought to obtain a copy of a medical certificate for use at trial. Without
23 objection from the government, the Court scheduled trial for the next available date (June 6, 2025).
24 *Id.*

25 Pending before the Court is letter correspondence from Defendant in which he requests to
26 advance the trial, which the Clerk of the Court received from Defendant in person and filed on
27 February 10, 2025. (Doc. 5). In his correspondence, Defendant asserts that trial should be advanced
28 because his "physical medical mental health is being affected, since my health condition is becoming

1 more delicate every day. I cannot sleep well at night, my blood pressure is high, and I am beginning to
2 feel my nerves altered, before this situation I did not have these health problems that I am now
3 facing.” *Id.*

4 While the Court acknowledges Defendant’s apparent anxiety at the prospect of waiting until
5 June 6, 2025, to commence trial, the Court set trial on that date at Defendant’s request. Moving the
6 trial on short notice to March 7, 2025, potentially prejudices the government in its ability to prepare
7 for trial and make witnesses available. Nevertheless, the Court will direct the government to file a
8 report setting forth its position on advancing trial and, to the extent it wishes to maintain the existing
9 trial date of June 6, 2025, setting forth good cause to oppose advancement of trial to March 7, 2025.

10 **Conclusion and Order**

11 Accordingly, Plaintiff the United States of America is HEREBY ORDERED to file within five
12 (5) days of entry of this order a report setting forth its position on advancing trial and, to the extent it
13 wishes to maintain the existing trial date of June 6, 2025, setting forth good cause to oppose
14 advancement of trial to March 7, 2025.

15 IT IS SO ORDERED.

16 Dated: **February 12, 2025**

17 
18 _____
19 UNITED STATES MAGISTRATE JUDGE
20
21
22
23
24
25
26
27
28